

SENATE RECORD VOTE ANALYSIS

104th Congress
1st Session

Vote No. 56

January 26, 1995, 9:01 p.m.
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UNFUNDED MANDATES/Border Control

SUBJECT: Unfunded Mandate Reform Act of 1995 . . . S. 1. Graham modified amendment No. 184.

ACTION: AMENDMENT AGREED TO, 93-6

SYNOPSIS: Pertinent votes on this legislation include Nos. 15-41, 43-45, 47-55, and 57-61.

As reported by the Governmental Affairs Committee and the Budget Committee, S. 1, the Unfunded Mandate Reform Act of 1995, will create 2 majority (51-vote) points of order in the Senate. The first will lie against the consideration of a bill or joint resolution reported by an authorizing committee if it contains mandates and if Congressional Budget Office (CBO) cost estimates on those mandates are unavailable. The second point of order will lie against the consideration of a bill, joint resolution, motion, amendment, or conference report that will cause the total cost of unfunded intergovernmental mandates in the legislation to exceed \$50 million.

The Graham modified amendment would add that the term "Federal Intergovernmental Mandate" will also mean any Federal reduction in border control efforts and any Federal reduction in the reimbursement to States, local governments, or tribal governments for the net costs associated with illegal, deportable, and excludable aliens. These additions to the definition would only apply with respect to State, local, or tribal governments that fully cooperate in the efforts of the Federal Government to locate, apprehend, and deport illegal aliens.

Those favoring the amendment contended:

The Federal Government has the sole responsibility under the Constitution to control the United States' borders. It has not adequately exercised that responsibility, and as a result there are now 3.5 million illegal aliens in our country. Those aliens impose serious financial burdens on State and local governments. Our belief is that the Federal Government should increase its efforts to expel illegal aliens and to keep new aliens from sneaking in. Accordingly, we have offered the Graham amendment. This amendment would define any reduction in Federal border control efforts as an unfunded mandate because it would result in more aliens in the

(See other side)

YEAS (93)				NAYS (6)		NOT VOTING (1)	
Republican (50 or 96%)		Democrats (43 or 91%)		Republicans (2 or 4%)	Democrats (4 or 9%)	Republicans (1)	Democrats (0)
Abraham	Inhofe	Akaka	Hollings	Gorton	Biden	Helms- ²	
Ashcroft	Kassebaum	Baucus	Inouye	Jeffords	Heflin		
Bennett	Kempthorne	Bingaman	Johnston		Levin		
Bond	Kyl	Boxer	Kennedy		Nunn		
Brown	Lott	Bradley	Kerrey				
Burns	Lugar	Breaux	Kerry				
Chafee	Mack	Bryan	Kohl				
Coats	McCain	Bumpers	Lautenberg				
Cochran	McConnell	Byrd	Leahy				
Cohen	Murkowski	Campbell	Lieberman				
Coverdell	Nickles	Conrad	Mikulski				
Craig	Packwood	Daschle	Moseley-Braun				
D'Amato	Pressler	Dodd	Moynihan				
DeWine	Roth	Dorgan	Murray				
Dole	Santorum	Exon	Pell				
Domenici	Shelby	Feingold	Pryor				
Faircloth	Simpson	Feinstein	Reid				
Frist	Smith	Ford	Robb				
Gramm	Snowe	Glenn	Rockefeller				
Grams	Specter	Graham	Sarbanes				
Grassley	Stevens	Harkin	Simon				
Gregg	Thomas		Wellstone				
Hatch	Thompson						
Hatfield	Thurmond						
Hutchison	Warner						

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

United States and higher State and local costs to care for them. It would also define any reduction in Federal assistance to State and local governments to pay costs associated with illegal aliens as an unfunded Federal mandate. In the latter case, though, a reduction in assistance to a State or local government that was not cooperative in efforts to apprehend and deport illegal aliens would not be considered an unfunded mandate. This amendment has been carefully negotiated between Senators, and we are certain that it will now meet with the support of a majority of our colleagues.

No arguments were expressed in opposition to the amendment.